

FILE

# HOBBS Consulting, LLC

Public Policy & Government Affairs



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June 18, 2014

Barcy McNeal, Secretary  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

PUCO

RECEIVED-DOCKETING DIV  
2014 JUN 18 PM 3:55

Re: *In the Matter of the Application of Telephone Service Company to  
Revise its Intrastate Access Tariff to Set Terminating CCL Rate to Mirror the  
Interstate Rate and Add VOIP-PSTN Provisions*  
PUCO Case No. 14-0737-TP-ATA; TRF Docket No. 90-5039-TP-TRF

Dear Ms. McNeal:

Enclosed herewith are the original and two (2) copies of the final tariff pages for filing on behalf of Telephone Service Company in the above-referenced matter.

Please contact me if you have any questions.

Thank you for your assistance.

Very truly yours,

HOBBS CONSULTING, LLC

Kathy E. Hobbs  
Consultant/Authorized Agent  
For Telephone Service Company

Enclosure

Cc (w/enclosure): Michelle Green, 3<sup>rd</sup> Fl.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician DM Date Processed JUN 18 2014

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IDENTIFICATION AND RATING OF VOIP-PSTN TRAFFIC

The term "Toll VoIP-PSTN Traffic" denotes a Customer's interexchange voice traffic exchanged with the Company in time division multiplexing format over public switched telephone network ("PSTN") facilities, which originates and/or terminates in Internet Protocol ("IP") format. "Toll VoIP-PSTN Traffic" originates and/or terminates in IP format when it originates from and/or terminates to an end user customer of a service that requires IP-compatible customer premises equipment.

(N)

(1) Scope.

This section governs the identification of Toll VoIP-PSTN Traffic that is required to be compensated at interstate access rates, unless the parties have otherwise agreed, by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90, etc., FCC Release No. 11-161 (November 18, 2011) and the FCC's Second Order on Reconsideration, FCC Release 12-47 (April 25, 2012) ("FCC Orders"). This section of the tariff does not preclude Customers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic. This tariff does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. Rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in this tariff apply prospectively.

(2) Rate

- (a) Terminating Toll VoIP-PSTN Traffic. The intrastate terminating switched access rates in this tariff are the same as the Company's interstate rates for terminating switched access. Therefore, no percentage or VoIP factor is necessary to rate the terminating intrastate Toll VoIP-PSTN Traffic, nor are modifications to the rates and/or billing necessary as a result of the Toll VoIP-PSTN provisions of the FCC Orders after the effective date of this tariff sheet.
- (b) Originating Toll VoIP-PSTN Traffic. The intrastate originating Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed at rates equal to the Company's applicable tariffed interstate switched access rate as specified in the National Exchange Carrier Association Tariff F.C.C. No. 5, or the interstate switched access tariff in which the Company concurs.

(N)

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IDENTIFICATION AND RATING OF VOIP-PSTN TRAFFIC (continued)

(3) Calculation and Application of Originating Percent-VoIP-Usage Factors

(N)

- (a) The Company will determine the number of originating intrastate Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under 2(b) preceding, by applying an originating Percent VoIP Usage ("PVU") factor to the total intrastate access MOU originated by the Company's end users and delivered to the Customer.
- (b) The Customer will calculate and furnish to the Company an originating Percent VoIP Usage-Customer ("PVU-C") factor representing the whole number percentage of the Customer's total originating intrastate access MOU that (1) the Customer exchanges with the Company, and (2) is terminated in IP format in the state that would be billed by the Company as intrastate originating access MOU.
- (c) The Company will develop an originating Percent VoIP Usage Company ("PVU-T") factor that represents the percentage of total intrastate originating access MOU exchanged between the Company and the Customer that is originated by the Company in IP format. The PVU factor will be calculated as the sum of (A) the PVU-C factor and (B) the PVU-T factor times (1.0 minus the PVU-C factor).
- (d) The Company will apply the PVU factors to the originating intrastate access MOU exchanged with the Customer to determine the number of originating Toll VoIP-PSTN MOU. As set forth in 3(c) above, the originating PVU formula is:

$$PVU = PVU-C + (PVU-T \times (1 - PVU-C))$$

Example: The Customer reported that their originating PVU-C as 15%. The Company's originating PVU-T is 6%. This results in the following:

$$PVU = 15\% \text{ plus } (6\% \text{ times } (1 - 15\%)) = 20\%$$

This means that 20% of the Customer's originating intrastate MOU will be rated at interstate rates.

- (e) The Customer shall not modify their reported PIU factor to account for Toll VoIP-PSTN traffic.

(N)

P.U.C.O. Tariff No. 1

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IDENTIFICATION AND RATING OF VOIP-PSTN TRAFFIC (continued)

(3) Calculation and Application of Originating Percent-VoIP-Usage Factors (continued)

(N)

- (f) The Customer provided PVU-C shall be based on information such as the number of the Customer's retail VoIP subscriptions in the state (e.g. as reported on FCC Form 477), traffic studies, actual call detail or other relevant and verifiable information which will be provided to Company upon request.
- (g) The Customer shall retain the call detail, work papers and information used to develop the PVU-C factors for a minimum of one year.
- (h) If the Customer does not furnish the Company with a PVU-C factor, the Company will utilize a PVU-C of zero (0%) and the PVU will be equal to the Company's PVU-T.

(4) Initial Originating PVU Factor

The initial originating PVU-C factor must be submitted to the Company by June 15, 2014. If the Customer does not provide the originating PVU-C factor by that date, the Company will set the calculated originating PVU factor in accordance with (3)(h) herein.

(5) Originating PVU Factor Updates

The Customer and the Company may update their provided factors quarterly, using the method set forth in (3)(b) and (3)(c) preceding. Any updated factor shall be forwarded to the other Party no later than 15 days after the first day of January, April, July, and/or October of each year. The revised PVU-C or PVU-T shall be based on data for the prior three months, ending the last day of December, March, June and September, respectively. The revised PVU factors will serve as the basis for future billing and will be effective on the next bill date, and shall serve as the basis for subsequent monthly billing until superseded by new PVU factors. No prorating or back billing will be done based on the updated PVU factors.

(6) Originating PVU-C or PVU-T Factor Verification

- (a) Not more than twice in any year, the Company or the Customer ("Requesting Party") may request from the other Party an overview of the process used to determine the Originating PVU factors, the call detail records, description of the method for determining how the end user originates or terminates calls in IP format, and other information used to determine the PVU factors furnished to the other Party in order to validate the PVU factors supplied. The other Party shall comply,

(N)

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Issued: May 1, 2014

Effective: July 1, 2014

In Accordance with Case No. 10-2387-TP-COI  
Issued by the Public Utilities Commission of Ohio  
Lonnie D. Pedersen, Chief Operating Officer  
Wapakoneta, OH

P.U.C.O. Tariff No. 1

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IDENTIFICATION AND RATING OF VOIP-PSTN TRAFFIC (continued)

and shall reasonably supply the requested data and information within 15 days of the Requesting Party's request, and the Requesting Party shall complete the verification within 15 days of receipt.

(b) Either Party may dispute the other Party's PVU factor in writing based upon:

1. A review of the requested data and information provided by the other Party.
2. Reasonable review of other market information, FCC reports on VoIP lines, such as FCC Form 477 or state level results based on FCC Local Competition Report or other relevant data.
3. A change in the reported PVU-C factor by more than five percentage points from the preceding quarter.

(c) If after review of the data and information, the Customer and the Company establish a revised PVU factor, the Company may apply the revised PVU factor retroactively to the beginning of the quarter in which it was implemented.

(d) If the dispute is unresolved, the Requesting Party may initiate an audit at its own expense. The Requesting Party shall limit audits of the other Party's PVU factor to no more than twice per year. The other Party may request that the audit be conducted by an independent auditor. In such cases, the associated auditing expenses will be paid by the other Party.

1. In the event that either Party fails to provide adequate records to enable the other Party or an independent auditor to conduct an audit verifying the factor supplied, the usage for all contested periods will be billed using the most recent undisputed PVU factor. The PVU factor will remain in effect until the audit can be completed.
2. The Company will adjust the Customer's PVU-C factor or its own PVU-T factor based on the results of the audit, and will implement the newly calculated PVU factor in the next billing period or quarterly report date, whichever is first. The newly calculated PVU factor will apply for the next two quarters before new PVU-C factor can be submitted by the Customer.
4. If the audit supports the contested factor, the usage for the contested periods will be retroactively adjusted to reflect the audited PVU factor.